IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

THURSDAY, THE 22ND FEBRUARY 2007 / 3RD PHALGUNA 1928

WP(C).No. 22125 of 2006(H)

PETITIONER:

SUKUMARA PILLAI,
DEVI PALACE, KOPPAKONAM AVENUE,
NEDUMANGADU.

BY ADV. SRI.P.SANJAY,
SRI.A.PARVATHI MENON.

RESPONDENTS:
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1. **STATE OF KERALA, REPRESENTED BY THE SECRETARY, DEPARTMENT OF ELECTRICITY, SECRETARIAT, THIRUVANANTHAPURAM.**
2. **KERALA STATE ELECTRICITY BOARD, REPRESENTED BY ITS SECRETARY, VYDYUTHI BHAVANAM, THIRUVANANTHAPURAM.**
3. **THE EXECUTIVE ENGINEER, ELECTRICAL DIVISION, KSEB., NEDUMANGAD.**
4. **THE DEPUTY TAHSILDAR (REVENUE RECOVERY), NEDUMANGAD.**

BY GOVT. PLEADER SMT. M.K. PUSHPALATHA,
ADV. SRI. JOSE J. MATHEIKEL, SC, KSEB.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 22/02/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C). NO.22125/2006:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P.1: COPY OF THE LETTER DTD. 05/08/2001.

EXT.P.2: COPY OF THE POSTAL RECEIPT DTD. 05/08/2001.

EXT.P.3: COPY OF THE R.R. NOTICE NO. B1894/06 DTD. 19/07/06.

EXT.P.4: COPY OF THE R.R. NOTICE NO. B 1895/06 DTD. 19/07/06.

EXT.P.5: COPY OF THE REPRESENTATION DTD. 07/08/006.

//TRUE COPY//

prv.

K.BALAKRISHNAN NAIR, J.

W.P.(C) NO. 22125 OF 2006-H

JUDGMENT

The petitioner has approached this Court, challenging Exts.P3 and P4 notices, proposing to recover the alleged arrears of electricity charges in relation to two connections with Consumer Nos.14725 and 14734. He is the owner of a building, in which there are 17 rooms. The petitioner submits, there are separate connections for those rooms with separate meters. The two connections mentioned above are meant to serve the common area and also the basement store-room. He claims, he has submitted Ext.P1 representation in 2001, stating that power supply is not available in those connections. They may either be repaired or dismantled. It was the request made by the petitioner in Ext.P1. But, later, in 2006, like a bolt from the blue he has been served with Exts.P3 and P4 revenue recovery notices, stated to be in respect of the arrears accrued in relation to those connections. Hence this Writ Petition, challenging those notices.

2. The K.S.E.B has filed a statement, in which it is submitted that those two connections were dismantled in 2006. The present notices are issued to collect arrears of electricity charges due till the date of

dismantling.

3. The petitioner has already invoked the statutory remedy against the impugned demand, by filing a representation before the 3rd respondent, which is produced as Ext.P5. In view of the above position, the 3rd respondent is directed to afford an opportunity of being heard to the petitioner and look into the grievance raised by him in Ext.P5 concerning the aforementioned two connections. This the said respondent shall do within one month from the date of production of a copy of this judgment. If the petitioner produces a copy of this judgment before the 3rd respondent within two weeks from today, the interim order granted by this Court will remain in force for a period two months.

The Writ Petition is disposed of as above.

22nd February, 2007. K.BALAKRISHNAN NAIR, JUDGE.

Nm/